

BOARD OF SELECTMEN  
JANUARY 29, 2007

I. Call to Order / Roll Call

Chairman Alex J. Vispoli called the Special Meeting of the Board of Selectmen to order at 6:30 P.M. on January 29, 2007 in the Selectmen's conference room at the Town Offices. The meeting was duly posted and cablecast live. Present were: Chairman Vispoli and Selectmen Mary K. Lyman, Ted E. Teichert and John P. Hess. Also present were Town Manager Reginald S. Stapczynski, Department of Public Works Director Jack Petkus – the Town's representative on the Greater Lawrence Sanitary District Board – and Attorney William DiAdamo, Special Counsel to the Greater Lawrence Sanitary District.

II. Opening Ceremonies – 6:30 P.M.

Chairman Vispoli led the members in a Moment of Silence followed by the Pledge of Allegiance. He noted that the group had attended the swearing in ceremony of new Fire Chief Michael Mansfield earlier that day.

III. Other Business of the Board

A. Discussion of the proposed Greater Lawrence Sanitary District settlement

Chairman Vispoli gave a brief overview of the pending lawsuit between the Town of North Andover and the Greater Lawrence Sanitary District. He explained that North Andover is seeking a host fee from the GLSD as their wastewater treatment facility is located in their town. The proposed settlement in the case calls for an annual payment of \$125,000 to be divided by the five member communities of Andover, Lawrence, Methuen, North Andover and Salem, New Hampshire, based on their usage of the treatment facility. Andover's fee would be approximately \$15,300 per year. He said the Board is concerned about the built-in 2.5% escalator clause included in the settlement that could increase the Town's annual payment over a ten and possible twenty year period. It was noted that Andover's payment would come from the sewer rate payers' fund.

Attorney DiAdamo informed the Selectmen that the GLSD Board will vote on the proposed settlement at their meeting on Wednesday, January 31<sup>st</sup> and should the settlement not be approved, the case is scheduled for trial on March 1<sup>st</sup>. Mr. Vispoli explained the reason for the Board's meeting that evening was to provide Mr. Petkus with direction on how they would like him to vote at the January 31<sup>st</sup> GLSD meeting.

The Board engaged in a discussion regarding the proposed settlement. They expressed their concerns regarding the costs associated with the escalation clause and why North Andover is requiring a hosting fee at this time when they haven't required one for thirty years. The Board felt the settlement was not a collaborative effort as there hadn't been sufficient open dialogue between the member communities.

III. Other Business of the Board (Cont.)

A. Discussion of the proposed Greater Lawrence Sanitary District settlement

A motion was made by Selectmen Lyman, seconded by Selectman Teichert, to request that Jack Petkus, Andover's Greater Lawrence Sanitary District representative, vote in the negative on the proposed settlement at the January 31<sup>st</sup> meeting and state that the Town of Andover Board of Selectmen understand the fiscal constraints that North Andover is experiencing, however, they could not support this process or the proposed settlement.

A friendly amendment was added that the Board would be open to meeting with the member communities again to discuss the matter further.

The Board voted 4 – 0 in favor of the motion.

Chairman Vispoli noted that although Selectman Major was not at the meeting, he indicated in his position paper last week that he was not in favor of the proposed settlement and would not vote to support it.

V. Adjournment

There being no further business to come before the Board, a motion was made by Selectman Hess, seconded by Selectman Teichert, to adjourn the meeting. The vote was unanimous. The meeting adjourned at 7:00 P.M.

Respectfully submitted,

*Sandra A. Cassano*

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Recording Secretary